

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

FILED

MAR - 2 2005

CLERK, U.S. DISTRICT COURT  
By \_\_\_\_\_ Deputy

UNITED STATES OF AMERICA

v.

MARK A. SMITH

§  
§  
§  
§

No.

705 - CR - 008 - R

INDICTMENT

The Grand Jury Charges:

COUNT 1

Felon in Possession of a Firearm  
(Violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2))

On or about November 5, 2004, in the Wichita Falls Division of the Northern District of Texas, defendant, Mark A. Smith, having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess in and affecting commerce a firearm, to wit: a Bersa, Model Thunder 380, .380 caliber semi-automatic pistol, bearing an obliterated serial number, which had previously been shipped and transported in interstate commerce.

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

COUNT 2

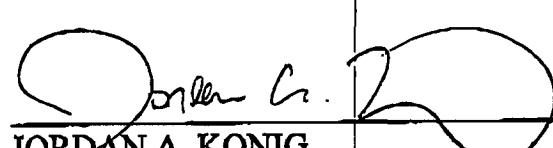
Possession of a Firearm with an Obliterated Serial Number  
(Violation of 18 U.S.C. §§ 922(k) and 924(a)(1)(B))

On or about November 5, 2004, in the Wichita Falls Division of the Northern District of Texas, defendant, **Mark A. Smith**, did knowingly possess a firearm, to wit: a Bersa, Model Thunder 380, .380 caliber semi-automatic pistol, from which the manufacturer's serial number had been obliterated and had previously been shipped and transported in interstate commerce.

In violation of 18 U.S.C. §§ 922(k) and 924(a)(1)(B).

**A TRUE BILL.**

**RICHARD B. ROPER**  
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